

7-12-03

1745



Practitioner's Docket No.: 791_170

PATENT *12* *9* *Sat*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: Li YANG, Toshihiro YOSHIDA, Hiroshi NEMOTO and Michio TAKAHASHI

RECEIVED
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TC 1700

Ser. No.: 10/009,216

Art Unit: 1745

Filed: November 8, 2001

Examiner: Susy N. Tsang Foster

For: LITHIUM SECONDARY BATTERY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 11, 2003 under "EXPRESS MAIL" mailing label number *EV 33328 3206 US*.
Janet M. Stevens
Janet M. Stevens

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

In response to the requirement for an Election of Species stated in the Office Action mailed August 15, 2003, the Applicant hereby provisionally elects Species 14, "a compound having an organic base and an inorganic acid which are unitarily combined in a molecule contained in at least one of the positive electrode, the negative electrode, the separator and the non-aqueous solution", with traverse.

It is respectfully noted that species 18, "a compound containing an atom showing Lewis acidity and an atom showing Lewis basicity in one molecule molecularly-structurally contained in at least one of the positive electrode, the negative electrode, the separator and the non-aqueous solution" should be included in the present election of species 14, since both species 18 and species 14 are directed to a compound whose molecule comprises a base moiety and an acid moiety.

Applicants respectfully traverse the election requirement since all of species 1-23 are sufficiently related that a thorough and complete search for species 1-23 would necessarily

encompass a thorough and complete search for species 1-23. Thus, it is respectfully submitted that search and examination of all species herein could be made without serious burden.

It is respectfully noted that claims 1, 17-19 and 25-28 are generic, since each of these claims contains no recitation which would exclude any of the species. Furthermore, it is respectfully noted that claims 6-9 also correspond with species 14 and claim 14 corresponds with species 18.

For at least the foregoing reasons, reconsideration and withdrawal of the election requirement and examination of all species herein are respectfully requested.

September 11, 2003

Date

Respectfully submitted,



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